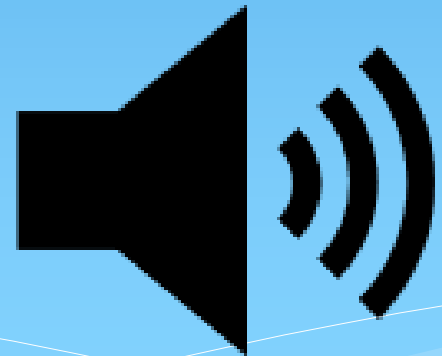


City of Alexandria, Virginia

Alexandria Noise Ordinance: Proposed Revisions

Title 11 Chapter 5 of the Alexandria City Code





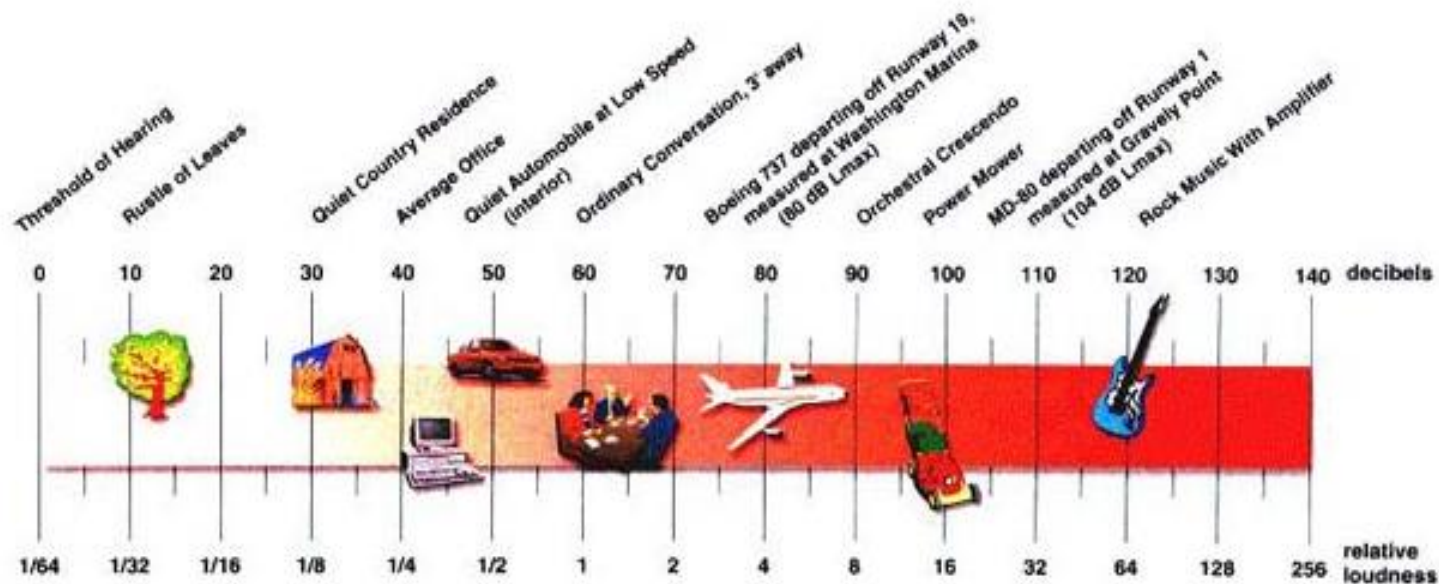
What is Noise?



- Unwanted sound that interferes with one's hearing
- Unwanted signal or disturbance
- Measured based on the amplitude (energy) and frequency (pitch) of a sound wave
- Soundwave energy is measured in decibels:
 - Loudness or intensity
 - Expressed on a logarithmic scale



Typical Sounds and Relative Loudness



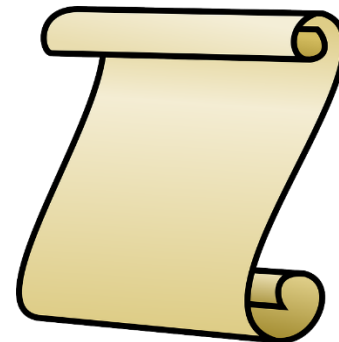
The **decibel (dB)** is a unit for describing sound pressure levels. A-weighted sound measurements (dBA) are filtered to reduce the effect of very low and very high frequencies, better representing human hearing. With A-weighting, sound monitoring equipment approximates the human ear's sensitivities to the different sounds of frequencies.

(Source: Washington Metropolitan Airport Authority)

Why Revise the Ordinance Now?



- Changes in law
 - Updates required to enforce some provisions
- Opportunity to amend entire ordinance
 - Originally passed in 1963
 - Provisions amended periodically

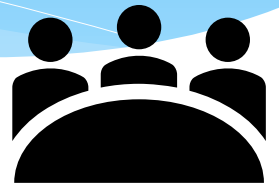


Noise Ordinance Revision: Process

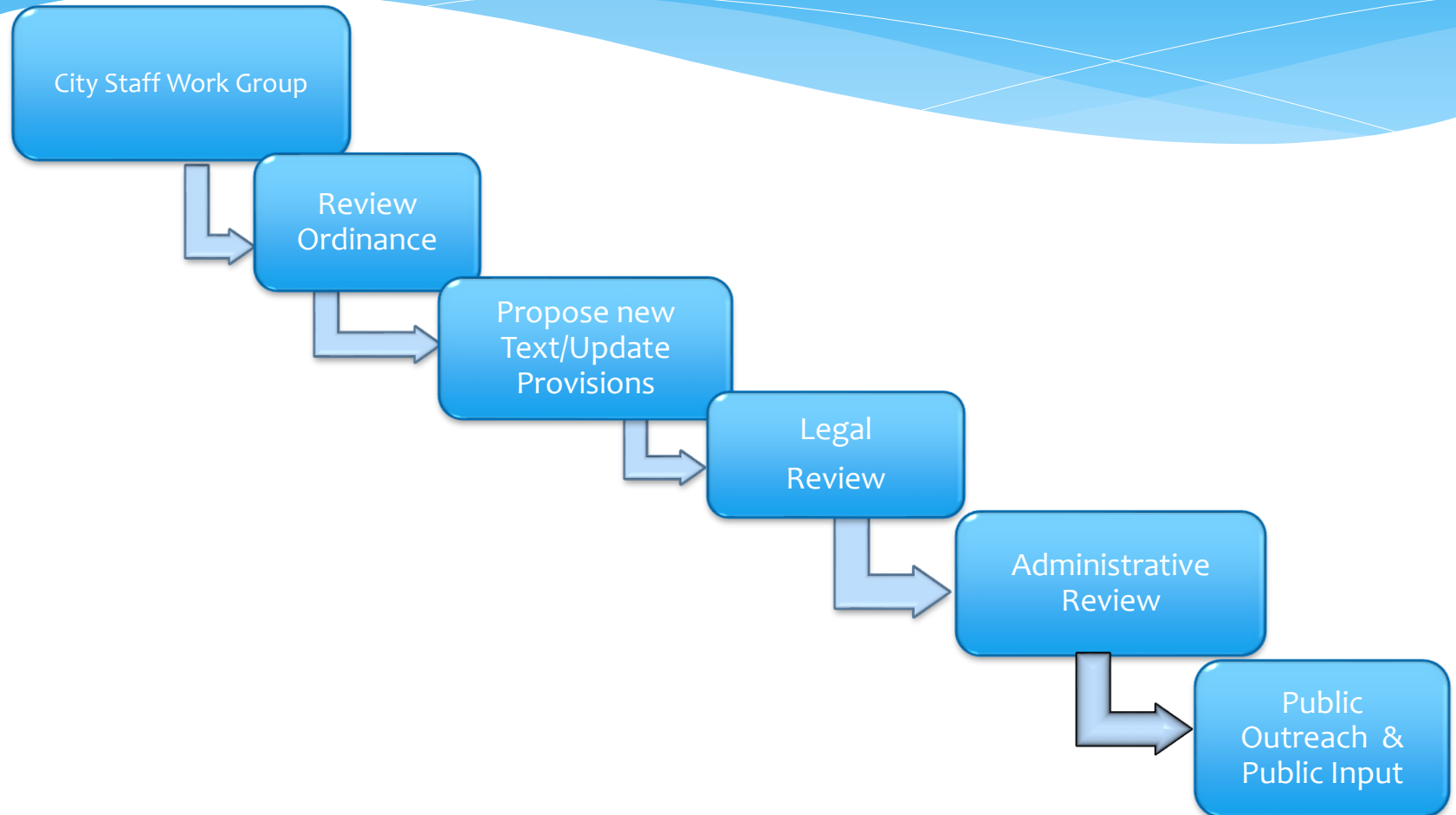


Interdepartmental City Staff reviewed ordinance

- Identified sections requiring revision:
 - No longer applicable
 - Require updating due to changes in law
- Identified topics/sources not addressed
 - Loading/unloading times
 - Measuring across shared property lines
- Reviewed other jurisdictions' ordinances
- Reviewed coordination of resources/jurisdiction
- Prepared the draft ordinance for public review



Noise Ordinance Revision: Process to Date



How is Noise Regulated in Alexandria?



- Permitted Hours for Specific Activities
- Decibel Limits by Property Use
- Prohibitions
- Issuance of Permits
- Exemptions



Alexandria Noise Ordinance

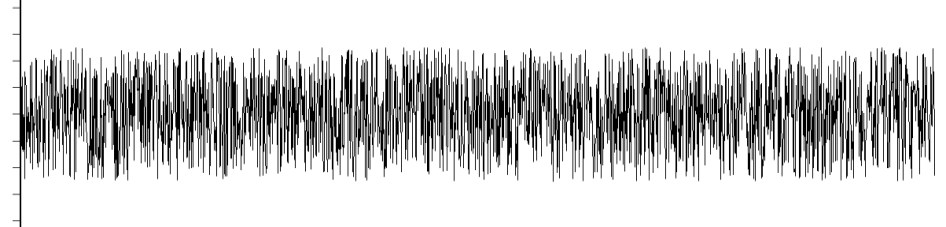
Key Definitions



Noise:

****The intensity, frequency, duration, or character of sounds from a single source or multiple sources that may degrade the public health, safety, or welfare.***

(Section 11-5-2 (26))



***Plainly Audible**

Sound that can be heard by the unaided human ear.

(Section 11-5-2 (31))

*** New Definitions**



Permitted Hours: Construction



Activity	Allowable Hours	
	Current	Proposed
Commercial Construction Activity	M-F: 7 AM – 6 PM Sat: 9 AM- 6 PM	No changes
Pile Driving	M-F: 9 AM – 6 PM Sat: 10 AM – 4 PM	No changes
*DIY/ Not for Profit Performed by owner	Exempt	M-F 7 AM- 9 PM Sat/Sun: 9 AM- 9 PM
* New Provision		





Permitted by Hours

Activity	Allowable Hours	
	Current	Proposed
Trash Collection	(Oct-Apr) : 7AM- 11 PM (May- Sept): 6 AM -11 PM	No changes
Power and Lawn Equipment	M-F: 7 AM- 9 PM Sat/Sun: 9 AM- 9 PM	No Changes
*Mechanical Devices to clean outdoor areas (power washers)	NA	M-F: 7 AM- 9 PM Sat/Sun: 9 AM- 9 PM

*** New Provision**



Property Use: Decibel Limits at Property Line



Property Use Categories

- Residential
- Commercial
- Industrial
- ***Institutional**
 - Uses not covered by current category
 - Schools
 - Government buildings
 - Public parks
 - Hospitals
 - Churches



* New category



New Definitions for Use Areas

Property defined by its specific use not zoning or area use.

- *Commercial use area: Any property that is used for commercial purposes.*
- *Industrial Use Area: Any property that is used for industrial purposes.*
- ****Institutional use area: Any property that is operated by a nonprofit or quasi-public use or institution, such as a library, public or private school, religious institution, hospital, or municipally owned or operated building, structure, or land used for public purposes.***
- *Residential use area: Any property that is used for residential purposes.*

**** Proposed new use category***

Important to note that when a site is governed by other city ordinances those conditions carry.

- **City Park hours are governed by RPCA: sunrise to sunset, and other use provisions limiting noise generating equipment.**

Decibel Limits: Property Use Categories



Use area	Maximum Permissible Level in decibels	
	Current	Proposed
<u>Residential</u> Day	55	No change
*Night (11 PM–7 AM)	55	55 or Plainly Audible if noise source is another residence
<u>Commercial</u> *Day (7 AM -11 PM)	60	*65
Night (11 PM – 7 AM)	60	No change
*Institutional Day Night	NA NA	65 60
<u>Industrial</u> Day/Night	70 dB A	No change

*New provision

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Measurements are taken at the property line of the generating noise source.
The decibel limit is that assigned to the property generating the noise.

Application to Mixed Use and Multi-Family Dwellings



Property Line and Property Boundary.

Terms refer to:

(a) the vertical or horizontal boundary that separates one parcel of property from another residential, commercial, institutional or industrial property;

or

(b) the vertical and horizontal boundaries of a dwelling unit that is part of a multi-dwelling unit building

Daytime measurements for multi-family dwellings:

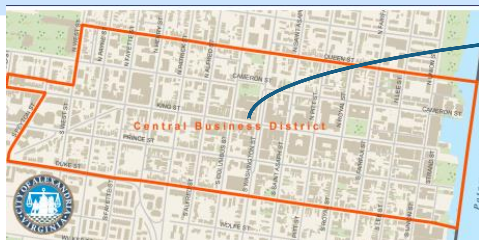
- Outside: from a common area
- Inside: 4 feet from the wall/ceiling/floor

nearest to the noise source.



Noise in Public Places

Applicable Area	Noise in Public Places	
	Current	Proposed
Central Business District Night (11 PM – 7 AM) Day (7 AM-11 PM)	@10 ft: No sound may exceed 65 dB May not be heard beyond 50ft @10' ft: No sound may exceed 75 dB May not be heard beyond 50 ft	No change. The designation will be deleted: provisions apply to whole city.
Whole City* Night (11 PM – 7 AM) Day (7 AM- 11 PM)	NA	@10 ft: No sound may exceed 65 dB. May not be heard beyond 50ft @10' ft: No sound may exceed 75 dB May not be heard beyond 50'



***New Provision**



Prohibitions



Activity/Source	Standard	
	Current	Proposed
Sound Reproduction Device/Sound Generation	Prohibited 50 feet across property boundaries from 11 PM- 7 AM	No Change
Animal Noise Day (7AM-10PM) Night (10PM–7 AM)	No distinction between day and night	Plainly audible/discernible across property boundaries AND >5 minutes in any ten-minute period. Plainly audible in any other residential dwelling with the doors and windows closed
* Nighttime Noise in Residential areas 11 PM - 7 AM	NA	Plainly Audible Sound from one residence to another residence is prohibited: 11 PM-7AM
Commercial Loading/Unloading	NA	Prohibited: 11 PM – 7 AM

Permit Issuance





■ Noise Variance

- Temporary relief from ordinance provisions
- Issued for limited time periods
- Specific to a limited time activity
- Not a Permit to generate noise
 - Conditions to control noise impacts
 - Allows a variance from a time permitted or decibel limited activity
 - Commonly used for special events and limited/short term construction

■ *Special Use Permit (SUP)

- Specific noise generating activities may be included as SUP conditions
- Noise provisions within a SUP, become the applicable requirement for that entity

**New Provision*

 **APPLICATION FOR NOISE VARIANCE PERMIT**
MUSIC & SOUND AMPLIFICATION 

If you intend to use sound amplification equipment on City Property (streets, parks, etc.), or if your event is on private property but is open to the public, you may be required to obtain a Noise Variance Permit to operate sound amplification equipment in the City. Please be aware that if your event requires a City street to be closed, you will need approval from the Department of Transportation & Environmental Services. You may contact the Department of Recreation at (703) 746-4343 and the Department of Transportation and Environmental Services permit section at (703) 746-4035.

Please complete the following application below at least 10 days prior to the scheduled activity. Return completed application to the Department of Transportation and Environmental Services, Division of Construction and Inspection, 301 King Street, Room 4130, Alexandria, VA 22314 or Fax to (703) 838-6438.

Name/Company: _____ Contact: _____
Address: _____ Phone: _____
_____ Zip Code: _____
Date of Activity: _____ Start Time: _____ End Time: _____
Day (circle all that apply) M T W TH FR SAT SUN
Exact Location of Activity: _____

Type of activity and equipment to be used: _____

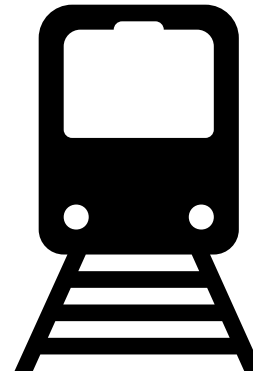
Will activity take place in a City Park? Yes _____ No _____
(If yes, please attach approved copy of "Permit for Rental of Parks, Facilities and Recreation Equipment")
Does the activity require a street to be blocked? Yes _____ No _____
(If yes, please attach approved copy of permit to close street)
Expected number of persons attending the event: _____
Signature: _____ Date of Application: _____



Exemptions



- Activity preempted by state or federal law
 - Interstate commerce
 - Aircraft
 - VDOT Construction/Highway Usage
 - Rail Roads
- MetroRail
 - Service
 - Maintenance
- Emergency utility/City work
 - Construction/excavation
 - Road work
 - Snow removal
 - Street sweeping
- Alexandria Police Dept. Shooting Range
- Emergency Response Equipment
 - Signals and alarms
- Stand-by power generators
 - Power outages and routine tests





Enforcement

- Written/Verbal Warning
 - Voluntary Compliance
 - Corrective Measures
- Violations prosecuted as civil penalty
 - First ***\$100** (\$50)
 - **Second ***\$250** (\$100)
 - ***Third ***\$500** (\$250)
- Criminal Violations
 - More than three violations w/in 12 months



- * **Proposed Increase in Penalty Fines**
- ** Committed within 7 days of first violation
- *** Committed within 14 days of first violation

Summary of Proposed Changes



- ✓ New maximum daytime decibel limit
 - Commercial/Institutional use areas
- ✓ New use category: Institutional
 - Schools
 - Churches
 - Government Buildings
- ✓ New standard for compliance in residential areas
 - Plainly audible from 11 PM- 7 AM
- ✓ New permitted by time activities
 - Commercial Loading/Unloading
 - DIY Construction
 - Plainly audible in multi-family buildings, residential to residential
- ✓ Allows Special Use Permit noise standards to vary from ordinance standards
- ✓ Noise in Central Business District public place provisions
 - Expanded to public places within whole city
- ✓ Increased penalty fines



Next Steps



- Continued Public Outreach on the Proposed Revisions to the Noise Ordinance
- Collect Public Input
 - On-line submission
 - Contact City Staff
 - Provide written comments tonight
- Review Public Comments
- Prepare Final Revision for Council
- Present to Council Legislative Meeting
- Vote/Adoption by Council Public Hearing





Contact/Questions

Lisa Goldberg
Senior Environmental Scientist
Office of Environmental Quality



703.746.4181



Lisa.Goldberg@Alexandriava.gov



www.alexandriava.gov/noise